


**PUBLIC TESTIMONY SIGN-UP SHEET FOR
AGENDA ITEM C-5 BSAI Salmon Bycatch**

	NAME (PLEASE PRINT)	AFFILIATION
1	<i>[Signature]</i>	<i>Yukon River Drainage Fisheries Assoc.</i>
2	✓ Brent Paine, John Grover, Joe Sullivan -	Pollock Fisher coop
3	✓ <i>[Signature]</i>	<i>BSA</i>
4	✓ Russell Pritchard/Chuck Barreco	Independent Cod Trawlers Assn.
5	✓ Ben Entidence	Alaska Marine Conservation Council
6	✓ Jill Klein	Yukon Fisheries
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NOTE to persons providing oral or written testimony to the Council: Section 307(1)(I) of the Magnuson-Stevens Fishery Conservation and Management Act prohibits any person "to knowingly and willfully submit to a Council, the Secretary, or the Governor of a State false information (including, but not limited to, false information regarding the capacity and extent to which a United State fish processor, on an annual basis, will process a portion of the optimum yield of a fishery that will be harvested by fishing vessels of the United States) regarding any matter that the Council, Secretary, or Governor is considering in the course of carrying out this Act.

MEMORANDUM

TO: Council, SSC and AP Members

FROM: Chris Oliver 
Executive Director

ESTIMATED TIME 4 HOUR

DATE: May 25, 2005

SUBJECT: BSAI Salmon Bycatch

ACTION REQUIRED

Initial Review on EA/RIR/IRFA to modify the existing bycatch reduction measures for Chinook and chum salmon in the BSAI groundfish FMP.

BACKGROUND

The Council is continuing to work on means to address salmon bycatch management issues in the BSAI groundfish trawl fisheries following increased bycatch of chum and Chinook salmon in 2003 and 2004. At the April 2005 meeting, the Council refined their problem statement and draft alternatives for analysis and initiated analyses concurrent amendment packages to address salmon bycatch management in the BSAI groundfish fisheries. There are two different amendment packages that the Council is initiating, with the first amendment package (proposed Amendment 84) prioritized for immediate analysis, while amendment package "B" is a broader scope that will likely take into 2006 for completion.

The EA/RIR/IRFA for proposed amendment 84 considers the following alternatives to address the immediate salmon bycatch management issues:

Alternative 1: Status Quo

Alternative 1 maintains the existing regulatory measures for Chinook and Chum salmon savings area closures.

Alternative 2: Eliminate the regulatory salmon savings area closures

Under Alternative 2, the catch limits for the Bering Sea subarea trawl Chinook and BSAI trawl chum salmon would be eliminated, and would no longer trigger savings area closures. The annual closure of the Chum Salmon Savings Area would also be eliminated. Salmon would remain a prohibited species under this (and all) alternatives.

Alternative 3: Suspend the regulatory salmon savings area closures and allow pollock cooperatives and CDQ groups to utilize their voluntary rolling hot spot closure system to avoid salmon bycatch

Under Alternative 3, the catch limits for the Bering Sea subarea trawl Chinook and BSAI trawl chum salmon would be suspended, and would no longer trigger savings area closures. The annual closure of the Chum Salmon Savings Area would also be suspended. The suspension will go into effect so long as the pollock cooperatives and CDQ groups have in place an effective salmon bycatch voluntary rolling "hot spot" (VRHS) closure system to avoid salmon bycatch.

Suboption:

Reimpose regulatory salmon savings closures if reported non-compliance with agreement merits expedited action

Under this suboption, the Council may recommend re-imposition of the regulatory salmon savings area closures on an expedited basis if the situation merits this recommendation. The Inter Cooperative Agreement (ICA) managers will report to the Council immediately if there is non-participation or non-compliance without effective enforcement action under the VRHS system. In that event, the Council may recommend re-imposition of the regulatory salmon savings area closures on an expedited basis. If the regulatory closure area system is reinstated, it is the Council's intent that the closure areas be based on the most recent information available and if the analysis of Amendment Package B's Alternative 1 supports the approach, with regular adjustments.

The analysis considers the environmental, economic and regulatory impacts of these alternatives. The immediate and cumulative effects are considered insignificant for all the components of the BSAI ecosystem for the alternatives considered.

This EA/RIR/IRFA is presented for initial review at this meeting. The executive summary of the analysis is attached as Item C-5a. The full analysis was mailed to you on May 24th. This analysis is tentatively scheduled for Final Action at the October 2005 meeting, such that regulatory changes may be in place prior to the annual regulatory closure of the Chum Salmon Savings Area on August 1st, 2006.

EXECUTIVE SUMMARY

In the mid-1990s, the Council and NOAA Fisheries implemented regulations to control the bycatch of chum salmon and Chinook salmon taken in the BSAI trawl fisheries. These regulations established closure areas in areas and at times when salmon bycatch had been highest based on historical observer data. Information from the fishing fleet indicates that bycatch may have been exacerbated by the current regulatory closure regulations, as much higher salmon bycatch rates were reportedly encountered outside of the closure areas. Some of these bycaught salmon include Chinook and chum stocks of concern in western Alaska. Further, the closure areas impose increased costs on the pollock fleet and processors. To address this immediate problem, the Council will examine and consider other means to control salmon bycatch that have the potential to be more flexible and adaptive, but still meet Council intent to minimize impacts to the salmon in the eastern Bering Sea.

This analysis considers the following alternatives to address the problem identified above.

Alternative 1 Status Quo

Alternative 1 maintains the existing regulatory measures for Chinook and Chum salmon savings area closures.

Alternative 2 Eliminate the regulatory salmon savings area closures

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Environmental Assessment

Alternative 1

The fishery performance analysis indicates that salmon bycatch may be higher outside the savings areas than inside. However, evidence indicates that the amount of salmon caught incidentally in the groundfish fisheries represents a low overall proportion of salmon abundance and harvest in the directed salmon fisheries (commercial, subsistence, and recreational). The results of an ongoing ESA consultation on ESA-listed Chinook salmon are as yet unknown.

The *Final Alaska Groundfish Fisheries Programmatic Supplemental Environmental Impact Statement* (NMFS 2004b) and the *Final Environmental Impact Statement for Essential Fish Habitat Identification and Conservation in Alaska* (NMFS 2005) have both concluded that there are no significant adverse impacts on the physical and biological environment or the ecosystem from the current groundfish management regime. As a result, Alternative 1 is found to have no significant impacts on these components. The socioeconomic and economic impacts are discussed under the Regulatory Impact Review heading, below.

Alternative 2

Although salmon bycatch may increase under this alternative, as constraints on bycatch in the groundfish fisheries are removed, it is unlikely that this alternative will result in bycatch levels that will present a threat to the sustainability of salmon stocks. Results of the ongoing ESA consultation on listed salmon stocks are as yet unknown.

No significant impact on the pollock stock is anticipated, as harvest levels will continue as under Alternative 1, and as the pollock fishery has a low incidental catch rate of groundfish and other fish stocks, and an extensive monitoring program to ensure accurate catch accounting, neither is a significant impact anticipated on these stocks. Interactions with habitat, marine mammals, and seabirds may decrease under this alternatives, as vessels may pursue a lower catch per unit effort for pollock, being unconstrained by salmon bycatch. To the extent this occurs, this may benefit habitat, marine mammals, and seabirds, however the change is unlikely to be detected at a population level. This action has no discernable impacts on the ecosystem. Socioeconomic and economic impacts are discussed under the Regulatory Impact Review heading, below.

Alternative 3

Salmon bycatch is expected to decrease under this alternative, given the flexible system provided by dynamic hot spot management of the pollock fleet. Evidence indicates that the amount of salmon current caught incidentally in the groundfish fisheries represents a low overall proportion of salmon abundance and harvest in the directed salmon fisheries (commercial, subsistence, and recreational). The results of an ongoing ESA consultation on ESA-listed Chinook salmon are as yet unknown.

As with Alternative 2, no significant impact on pollock or other fish stocks is anticipated under this alternative. Impacts on pollock catch per unit effort cannot be predicted, but to the extent that it differs from the status quo, this may benefit or disadvantage habitat, marine mammals, and seabirds. Any change is likely to be small, however, and not discernable at a population level, therefore no significant impacts would result from this alternative. As with Alternative 2, this

action has no discernable impacts on the ecosystem. Socioeconomic and economic impacts are discussed under the Regulatory Impact Review heading, below

Alternative 3 Suboption

Implementation of the suboption has no impact other than for the Council to alert the pollock fishery participants of its intent to take remedial measures if this alternative is not effective at controlling salmon bycatch. The Council may, at any time, with the appropriate scientific and analytical support for its decisionmaking, take action to change its bycatch management measures.

Regulatory Impact Review

The analysis of alternatives presented in the RIR has shown that Alternative 1, the status quo, has resulted in dramatic increases in salmon bycatch in the Bering Sea pollock trawl fishery in recent years. This translates into foregone salmon value, assuming full terminal harvest of salmon bycatch, of nearly \$1 million for Chinook and more than \$250 thousand for chum in 2003. These values greatly overstate the actual harvest that might have occurred if salmon bycatch had not been taken in the Bering Sea pollock trawl fishery.

Unfortunately, it is not possible to accurately estimate actual harvest value. However, the dramatic increases in salmon bycatch under the status quo likely translate into increases in foregone value and decreased benefits of bycatch reduction. The status quo also bears some risk of future restrictions on the Bering Sea pollock trawl fleet as a result of exceeding the ESA Chinook incidental take permit cap.

Alternative 1 also imposes increased operational costs on the trawl fleet when the salmon savings areas are closed and may adversely affect vessel safety. The closures are also having a detrimental effect on product quality for the CV fleet. The decreased quality appears to have reduced product grade, eliminated fillet production in some cases, and increased shoreside processing facility costs. Alternative 1 also results in some management and enforcement costs to administer the closures and monitor vessel locations.

Alternative 2 would eliminate the salmon savings closure areas altogether. The result would likely be reduced operational costs, improved vessel safety, improved product quality, and reduced management and enforcement costs. However, in the absence of any bycatch reduction measures this alternative may result in further increase in salmon bycatch in the Bering Sea pollock trawl fishery. Were that to occur, the foregone value of such bycatch would increase and the associated benefits of bycatch reduction would decrease, possibly dramatically. This could also result in the Bering Sea pollock trawl fleet significantly exceeding the ESA Chinook incidental take permit cap.

Alternative 3 eliminates the BSAI salmon savings area closures but replaces them with a dynamic system of rolling hot spot closures and creates incentives for individual vessels to reduce salmon bycatch by penalizing the worst offenders. This alternative would likely reduce operational costs, improve vessel safety, and improve product quality. Alternative 3 also has the potential to reduce salmon bycatch more than the status quo management measures. If that potential were realized, Alternative 3 would reduce foregone value of salmon bycatch and increase the overall benefits of bycatch reduction. Alternative 3 also provides some mitigation possibilities for Western Alaska fishing organizations.

Alternative 3 would reduce management and enforcement costs for government agencies by transferring much of that cost to industry. However, the industry has volunteered to bear this cost in hopes of reducing operational costs associated with the status quo while at the same time attempting to reduce salmon bycatch. If bycatch is not reduced under alternative 3 and the Bering Sea pollock trawl fleet continues to exceed the ESA Chinook incidental take permit cap, unknown restrictions on the fleet could result. Perhaps the greatest benefit of this suboption is that it increases the incentive for industry to reduce salmon bycatch rates.

Initial Regulatory Flexibility Analysis

The analysis presented in the Initial Regulatory Flexibility Analysis indicates that, in 2003, there were perhaps as many as 116 small trawl CVs in the BSAI and 3 small trawl CPs. NMFS AKR records indicate that 112 BSAI CVs were members of AFA cooperatives; all of these are large entities. Thus, four of the BSAI small trawl CVs and 3 small trawl CPs appear to qualify as "small entities" once AFA affiliation is taken into consideration.

Native Village of Napakiak
Indian Reorganization Act Council
P.O. Box 34069
Napakiak, AK 99634

Resolution #2005-11

REC'D
APR 28 2005
N.P.F.M.C.

**CONCERNING THE REDUCTION OF SALMON BYCATCH IN THE
TRAWL FISHERIES OF THE BERING SEA**

WHEREAS, salmon are important for the cultural and economic health of coastal villages of the Bering Sea, villages of the Yukon and Kuskokwim Rivers, and the ecological health of these watersheds;

WHEREAS, in some recent years western Alaska communities have not been able to successfully harvest salmon for subsistence;

WHEREAS, 54,900 chinook and 197,100 salmon were intercepted in 2003 as bycatch in Bering Sea trawl fisheries, and in 2004, 62,400 chinook and 456,900 chum salmon were killed by these fisheries, the highest amount ever recorded;

WHEREAS, roughly 60% of the chinook and 27% of chum salmon taken as bycatch in Bering Sea trawl fisheries are bound for western Alaska rivers;

WHEREAS, the salmon saving areas and bycatch caps of 29,000 chinook and 42,000 chum in the Bering Sea, established by the North Pacific Fishery Management Council (NPFMC) in the mid-1990's, represent positive steps but are not sufficient to control total amounts of salmon bycatch;

WHEREAS, the NPFMC is now considering new measures to control salmon bycatch in the Bering Sea trawl fisheries;

WHEREAS, the pollock cooperatives are practicing new and potentially effective methods for reducing salmon bycatch throughout the Bering Sea, which may resolve salmon bycatch conservation concerns in a manner that is compatible with successful fisheries;

WHEREAS, the pollock cooperatives assert that they can minimize salmon bycatch using rolling "hotspot" closure systems;

BE IT FURTHER RESOLVED, that the Native Village of Napakiak, IRA Council, requests that the NPFMC suspend the regulatory salmon savings area closures on a year-by-year basis so long as the pollock cooperatives have in place a salmon bycatch "hot spot" closure system, and those practices are demonstrated to effectively reduce salmon bycatch to minimal amounts, at or below the established caps, and do not contribute to problems with salmon returns to western Alaska, and if not, the NPFMC will after three years, develop an individual vessel accountability program with strict bycatch caps.

Certification: The foregoing resolution was adopted by the Native Village of Napakiak at the duly called meeting of the IRA Council by a vote 4 for and 0 against and 2 ~~obtaining~~ absent on the 15 th day of April 2005.

Jacob N. Black
Jacob N. Black, IRA President

04-15-05
Date

Paul Parka Jr.
Paul Parka Jr. Sec/Treasure

4-18-05
Date

Exemption Alternative

Maintain existing regulatory savings areas (triggers and closures) but:

- Participants in a VRHS system would be exempted from compliance with closures

- Specifications necessary:
 - Participation requirements to allow for exemption:
 - Coop by coop
 - If so is there a minimum participation in order for exemption to qualify? Or is one coop participating OK?

 - CDQ participation:
 - Harvest governed by exempt status of coop vessel (harvesting CDQ TAC)
 - In absence of exemption CDQ subject to existing CDQ-trigger for closures

 - Other trawl subject to annual (and triggered) Chum closure

 - How is effectiveness of program evaluated under the exemption (if all coops do not participate)?

*Council Staff
C-5*

BSAI TRAWL COD INFORMATION 2002-2004

	2002				2003				2004						
	CATCH	QUOTA	REM.	%	CATCH	QUOTA	REM.	%	CATCH	QUOTA	REM.	%			
TRAWL CP															
A (JAN 20-APR 1)	a	21738			c	20387	22553	2166	90%	c	22350	23422	1072	95%	
B (APR1-JUN 10)	a	13043			c	3082	13532	10450	23%	c	8450	14053	7594	46%	
C (JUN 10-NOV 1)	a	8695			c	10018	9021	-997	111%	c	12521	9369	-3152	134%	
TOTAL	a	43476			c	33487	45106	11619	74%	c	41330	46844	5514	88%	
FINAL QUOTA*	d	36496	36975	479	99%	d	33486	33605	119	100%	d	41330	41431	101	100%
TRAWL CV															
A (JAN 20-APR 1)	a	30433			c	36050	31574	-4476	114%	c	34337	32791	-1546	105%	
B (APR1-JUN 10)	a	4348			c	5425	4510	-915	120%	c	2519	4684	2165	54%	
C (JUN 10-NOV 1)	a	8695			c	3306	9021	5715	37%	c	3781	9369	5808	40%	
TOTAL	a	43476			c	44781	45105	324	99%	c	40617	46844	6227	87%	
FINAL QUOTA*	d	41683	41475	-208	101%	d	44781	43434	-1347	103%	d	40616	40717	101	100%
ALL TRAWL															
A (JAN 20-APR 1)	b	50799	52171	1372	97%		56437	54127	-2310	104%		56687	56213	-474	101%
B (APR1-JUN 10)	b	11208	17391	6183	64%		8507	18042	9535	47%		8978	18737	9759	48%
C (JUN 10-NOV 1)	b	13532	17390	3858	78%		13324	18042	4718	74%		16282	18738	2456	87%
TOTAL		75539	86952	11413	87%		78268	90211	11943	87%		81947	93688	11741	87%
FINAL QUOTA*		78179	78450	271	100%		78267	77039	-1228	102%		81946	82148	202	100%

*AFTER QUOTA TRANSFER

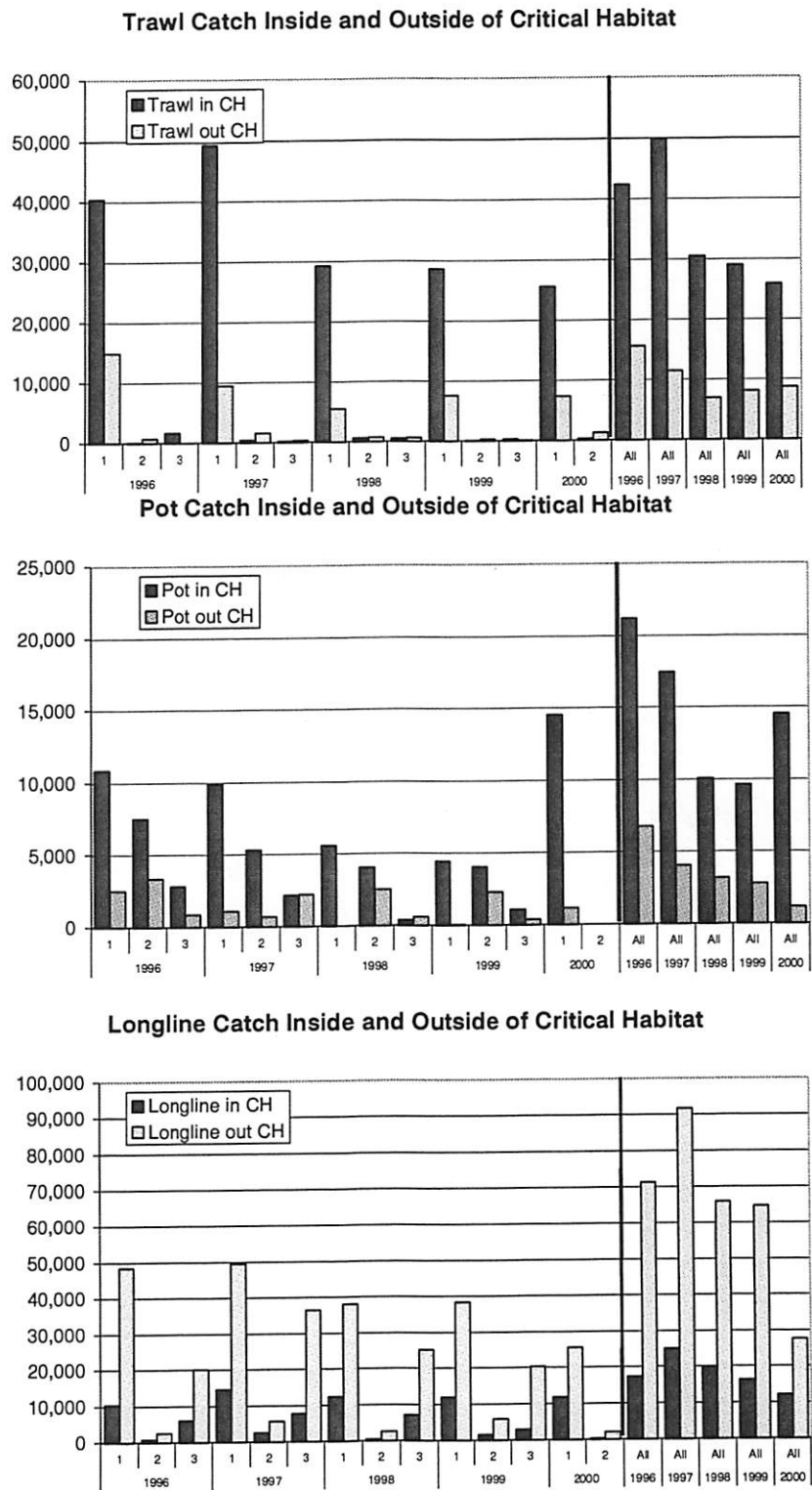
- a FROM SPECS TABLES
- b FROM DATA REQUEST 3/2003
- c FROM NMFS SEASONAL REPORT (not available prior to 2003)
- d FROM NMFS ANNUAL REPORT

ALL OTHER NUMBERS CALCULATED BY FIS

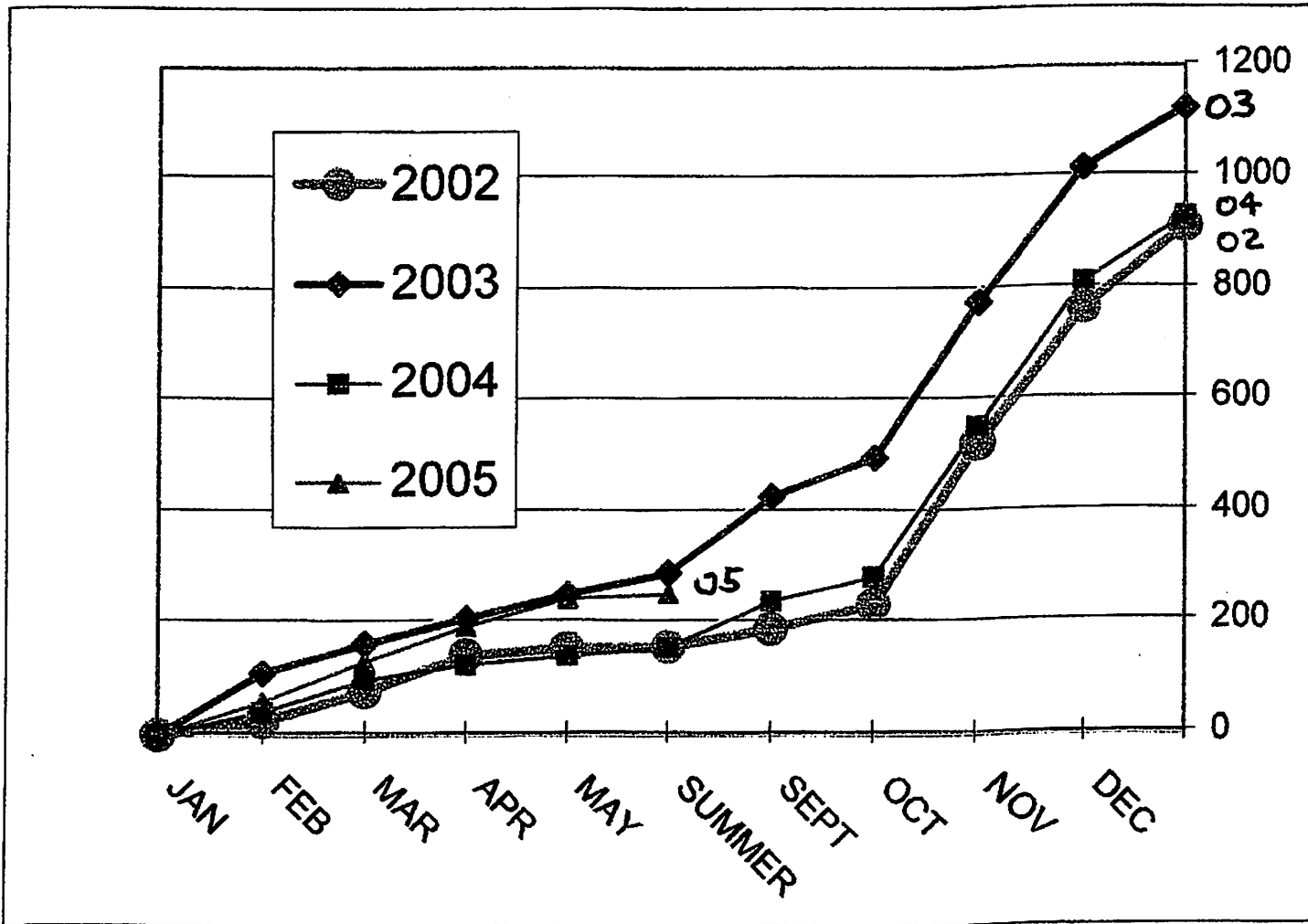
TO: Thom Smith
 Room 639
 c/o NPFMC.
 FIN: Janet Smoker, FIS
 789-3978

T. Smith
C-4

Figure 15. Bering Sea catch of Pacific cod inside and outside of critical habitat by season and by gear type from 1996-2000.



T. Smith
C-4



BSAI P-Cod Seasonal Apportionment Options

G. Merrigan

A. Current SSL Regulations: All gear objective= 70/30. As in a 70% "A" season (Jan 1- June 10) and a 30% "B" season (June 10 – Dec 31). The all gear apportionment (70/30) is achieved with the following gear specific apportionments:

Fixed: 60/40 60% "A" (Jan 1-June 10)/40% "B" (June 10-Dec 31)
 Trawl: 60/20/20 60% "A" (Jan 20-Apr 1)/20% "B" (Apr 1-June 10)/20% "C" (June 10-Dec 31). Within the trawl sector this 60/20/20 is achieved by:
 CV Trawl: 70% "A"/10% "B"/20% "C"
 CP Trawl: 50% "A"/30% "B"/20% "C"

B. Considerations:

- 1.) All sectors would like to harvest a larger proportion in the A season when CPUE is higher and bycatch is lower. The limiting SSL factor is the overall 70/30 split.
- 2.) The trawl sector generally catches it's A season quota but does not catch its B or C season quotas. From 2002-2004, the trawl sector caught an average of 9500 mt in the B season but left an average of 8500 mt/yr uncaught in the B season.

C. Options: In the current Element and Options as amended by the AP motion, there are 3 options on how to address the possible reallocation from trawl gear to fixed gear.

- 1.) Status quo: Current regulation (as above): Any reduction of the trawl allocation would be proportionately deducted from A, B, C seasons to maintain 60/20/20 .
- 2.) Option 1: Trawl: A and B season are fixed at current percent of ITAC. Any reduction of trawl allocation is deducted from C season.
- 3.) Option 2: Trawl: A season is fixed at current percent of ITAC. Any reduction of the trawl allocation is deducted from both the B and C seasons. The apportionment of the reduction between the B and C seasons is done by the two sub-options: a.) equally, or b.) proportionately.

EXAMPLE: (as in Discussion Paper): a.) ITAC = 200,000 mt, b.) 7% of ITAC is moved from trawl sector to fixed gear sector, and c.) jig is not included in tables.

	CURRENT REGS (TABLE 5)	OPTION 1 (TABLE 10)	OPTION 2: SUB 2 (TABLE 11)
Fixed Gear "A"	60% (69,600 mt)	52.8% (61,200 mt)	58.8% (68,200 mt)
Trawl "A"	60% (48,000 mt)	70.5% (56,400 mt)	70.5% (56,400 mt)
Trawl "B"	20% (16,000 mt)	23.5% (18,800 mt)	14.8% (11,800 mt)
Total "A"	66.8% (133,600 mt)	68.2% (136,400 mt)	68.2% (136,400 mt)
Fixed Gear "B"	40% (46,400 mt)	47.2% (54,800 mt)	41.2% (47,800 mt)
Trawl "C"	20% (16,000 mt)	6% (4,800 mt)	14.8% (11,800 mt)
Total "B"	31.2% (62,400 mt)	29.8% (59,600 mt)	29.8% (59,600 mt)
Total "A/B"	66.8%/31.2%	68.2%/29.8%	68.2%/29.8%

Presented by
Dustin Dickerson
C-4

UNALASKA NATIVE FISHERMAN ASSOCIATION
P.O. Box 591
Unalaska, Alaska 99685
Phone: (907) 581-3474 Fax (907) 581-3474

May 31, 2005

To the North Pacific Fisheries Management Council:

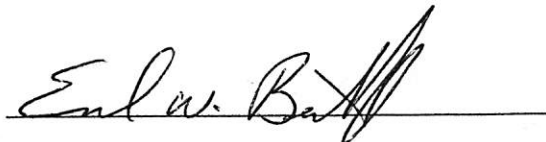
RE: BSAI Pacific Cod Allocations

The Unalaska Native Fisherman Association (UNFA) supports, at a minimum, the continuation of the Bering Sea/Aleutian Island Pacific Cod allocations for the jig and fixed gear fisheries for vessels under 60', at 2% each, of the Total Allowable Catch.

While it is taking some time for our fishermen to afford to get back into their boats and get geared up, we are making strides to do just that. The price is beginning to make sense and the resources are there to make it work, and we are experiencing an increasing interest in this fishery. A bit more coordination and we should have a vibrant small boat fishery we can all be proud of.

As you are aware the historic use of Pacific Cod by Unalaska fishermen has long been a fishery the people here have used for many generations and we must maintain this practice for the future generations to come. We take pride in seeing our residents return to their small boats, and thank those who have helped make this possible, including our past Vice President, the late Bobby Storrs. Keep up the good work.

Sincerely,



Emil Berikoff Sr., President,
Unalaska Native Fisherman Association

Dustin Dickerson
C-4

Madam Chair,

My name is Dustan Dickerson, I am a member of the Unalaska Native Fishermans' Association and owner/operator of a 56' longline boat. I also have a 42' longliner that I was happy to pass on to my stepson, who had been a crew member prior to that time.

I am here today because it's important to me that component 5.2.4, that would increase our quota, *remains* for analysis.

And that, component 6.7, which states unused allocations to any sector delivering inshore must be considered for reallocation to other inshore sectors, also *remain* for analysis.

And the reasons are –

- Our quota and the available jig rollover was taken Apr. 19 and we are shut down until Aug. 15 when more quota will be released.
- The small boat fleet; Alaska owned and operated, that depend on this fish now and for our future, *is* developing. Not only are more boats from our own community becoming involved, *we've got four new 50'+ boats in the harbor, brought in by community members in the last 2 years*, but also more boats from throughout the state.
- We feel, in the years to come, greater effort should be expected. Adak and Atka also share in this quota.
- We feel this is probably our last chance to secure more quota and to give security to the fisherman and families involved.

Also, referencing Table 1 on pg. 2 of the C-4 agenda packet, we would like you to consider changing the way the Jig quota is allocated trimester from 40%, 20%, 40% to 60%, 20%, 20%.

Table 1. Current seasonal apportionments of BSAI Pacific cod allocations by gear type

		Trawl Gear (47%)		Fixed Gear (51%)			Jig Gear (2%)			
Date	Season	Percent of trawl allocation	Percent of TAC	Season	Percent of fixed gear allocation	Percent of TAC	Date	Season	Percent of jig gear allocation	Percent of TAC
1 Jan	No directed cod trawl fishing prior to Jan. 20			A	60%	30.6%	1 Jan 30Apr	A	40%	0.8%
20Jan 1 Apr	A	60%	28.2%							
1 Apr 10Jun	B	20%	9.4%							
10Jun 1 Nov 31Dec	C	20%	9.4%	B	40%	20.4%	31Aug 31Dec	C	40%	0.8%
No directed cod trawl fishing after Nov. 1										
Total		100%	47%		100%	51%			100%	2%

In closing, I would like to thank those members of the council who take time out of their lives, for the benefit of others.

Thank You.